	Application No.	Applicant(s)
Notice of Allowability	09/897,775	HUENNEKENS ET AL.
	Examiner	Art Unit	
	Kirsten S. Apple	3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *8/02/07*.

2. ☒ The allowed claim(s) is/are *6, 26, 46, 61, 63 & 65*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None of the:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

        Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☒ Other *See Continuation Sheet*.

JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

DETAILED ACTION

This communication is in response to communication filed Aug 2, 2007.

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

Invention I: Claims 1-5, 7-25, 27-45, 47-60 is directed to a method for processing a financial transaction by determining merchant risk.

Invention II: Claims 6, 26, 46, 61-66 is directed to a method for processing a financial transaction by determining product risk particular consumer emergency.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different designs, modes of operation, and effects (MPEP § 802.01 and § 806.06). In the instant case, method for processing a financial transaction by determining merchant risk (Invention I) is not used with method for processing a financial transaction by determining product risk particular consumer emergency (Invention II) and they have very different effects.

Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions have acquired a separate status in the art due to their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Per the telephone conversation on November 30, 2007 the attorney elected over the phone Invention II. This is noted on the fax dated December 3, 2007 as follows:

Withdrew: 1-5, 8-25, 28-45, 48-60

Cancelled: 7, 27, 47, 62, 64 & 66

Amended: 6, 26, 46, 61, 63 & 65

This application is in condition for allowance except for the presence of claim 1-5,

7-25, 28-45, 48-60 directed to Invention I non-elected without traverse. Accordingly,

claim 7-25, 28-45, 48-60 been cancelled.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears in the attached fax dated

December 3, 2007. Should the changes and/or additions be unacceptable to applicant,

an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of

such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with

attorney, Joseph E Palys on November 30, 2007.

This application is in condition for allowance except for the presence of claim 1-5,

8-25, 28-45, 48-60 directed to Invention I non-elected without traverse. Accordingly,

claim 1-5, 8-25, 28-45, 48-60 been canceled.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

The following is a statement of reasons for the indication of allowable subject

matter: the prior art fails to teach or suggest the limitation of independent claims. The

Applicant has claims a credit/debit card processing system where approval is based on

the merchants credit risk threshold.

Independent claim 6 discloses a method for managing financial transaction determining merchant type, credit risk are compared to threshold values for approval and product risk particular consumer emergency.

Independent claim 26 discloses a computer system for managing financial transaction determining merchant type, credit risk are compared to threshold values for approval and product risk particular consumer emergency.

Independent claim 46 discloses a system for managing financial transaction determining merchant type, credit risk are compared to threshold values for approval and product risk particular consumer emergency.

Independent claim 61 discloses a method for managing financial transaction determining product risk particular consumer emergency.

Independent claim 63 discloses a computer system for managing financial transaction determining product risk particular consumer emergency.

Independent claim 65 discloses a system for managing financial transaction determining product risk particular consumer emergency.

The following prior art references have been deemed most relevant to the allowed claim(s):

Demoff et al. (US Pat. 6,456,984) teaches a credit approval system including customer numbers and merchant/ vendor data. This invention is intended to minimize any potential fraud or theft by having a transaction number that is valid for a requested transaction.

Templeton et al. (US Pat. 5,679,940) teaches a credit acceptance system including off-line terminal approvals. The host computer applies a risk scoring algorithm including merchant information.

Claims 6, 26, 46, 61, 63 & 65, are allowed because Demoff et al. and Templeton et. al. as discussed above as the Closest Prior art of record fails to teach or suggest a method of **product credit risk assessment in particular determining whether the product is associated with at least one of consumer emergency and consumer necessity and allocating a low credit risk for these products** .

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirsten S. Apple whose telephone number is 571.272.5588. The examiner can normally be reached on Monday - Friday 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-272-6126.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

ksa

Continuation of Attachment(s) 9. Other: attorney fax w/examiners amendment.

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TO

Name: Examiner Kristen S. Apple
Company: USPTO Art Unit 3693
Fax Number: 571-273-5588
Subject: Apn. No. 09/897,775

Date: December 3, 2007
Phone Number: 571-272-5588
Total Pages (including cover):   19
Confirmation Copy to Follow: N

FROM

Name: Joseph E. Palys
Phone Number: 571-203-2713

Verified by: JP
Our File No.:   05793.3068

MESSAGE

Examiner Apple:

Further to our telephone conversation, attached is a courtesy copy of claims for consideration of your Examiner's amendment and restriction requirement. As discussed, the attached listing provides a listing of proposed amended claims 26, 46, 61, 63, and 65, canceled claims 27, 47, 62, 64, and 66, and, based on the restriction requirement, withdrawn claims 1-25, 28-45, 48-60.

1-5,6-25

ICA

Applicants intend to file a divisional application to pursue the withdrawn claims.

Regards,

Joseph Palys

[handwritten annotations: for restriction by attorney; examiner; amendment cancels these; claim; applicant file division; since withdrawn; my; KA]

1.   (Withdrawn) *[handwritten: cancel]* A method for managing a financial transaction associated with a financial account, wherein the transaction would cause an outstanding balance of the financial account to exceed a credit limit, the method comprising:

determining a merchant type for a merchant which is a party to the transaction;

determining a merchant credit risk associated with the determined merchant type;

comparing the merchant credit risk to a threshold value defining an acceptable credit risk; and

approving the transaction based on the comparison of the merchant credit risk with the threshold value.

2.   (Withdrawn) *[handwritten: cancel]* The method of claim 1, further comprising the step of:

determining whether to contact a party to the transaction to obtain information concerning the transaction for use in determining a credit risk associated with the transaction.

3.   (Withdrawn) *[handwritten: cancel]* The method of claim 2, wherein the step of determining whether to contact a party to the transaction further comprises:

determining whether the potential transaction is an emergency transaction; and

approving the potential transaction when the contacted party indicates that the transaction is an emergency transaction.

4.   (Withdrawn) *[handwritten: cancel]* The method of claim 1, further comprising:

approving the potential transaction based on a determination that declining the potential transaction would cause inconvenience to a holder of the financial account.

Cancel

5.   (Withdrawn) The method of claim 2, wherein the step of determining

whether to contact a party to the transaction further comprises:

allowing a credit analyst to determine whether to approve the. potential

transaction when the credit analyst is available.

6.   (Amended) ~~The method of claim 1, further comprising:~~

A method for managing a financial transaction associated with a financial

account, wherein the transaction would cause an outstanding balance of the financial

account to exceed a credit limit, the method comprising:

determining a merchant type for a merchant which is a party to the transaction;

determining a merchant credit risk associated with the determined merchant type;

determining a type of product associated with the transaction;

determining a credit risk associated with the transaction based on the determined

type of product associated with the transaction, wherein the determining the credit risk

associated with the transaction includes:~~;~~

determining whether the product is associated with at least one of a

consumer emergency and a consumer necessity,; and

allocating a low credit risk to the product when the product is determined

to be associated with at least one of a consumer emergency and a consumer

necessity;

comparing the merchant credit risk to a threshold value defining an acceptable

credit risk;

comparing the product credit risk associated with the threshold value; and

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approving the transaction <u>based on the comparison of the merchant credit risk</u> <u>with the threshold value and</u> based the comparison of the determined product credit risk with the threshold value.

7.   (Canceled) The method of claim 6, wherein determining the credit risk associated with the transaction further comprises:

determining whether the product is associated with at least one of a consumer emergency and a consumer necessity; and

allocating a low credit risk to the product when the product is determined to be associated with at least one of a consumer emergency and a consumer necessity.

8.   ~~(Withdrawn)~~ *Cancel* The method of claim 1, wherein the step of determining a merchant credit risk further comprises:

determining a low merchant credit risk for merchant types corresponding to at least one of a restaurant, a grocery store, and a fuel dispenser.

9.   ~~(Withdrawn)~~ *Cancel* The method of claim 1, wherein the step of determining a merchant credit risk further comprises:

determining a low merchant credit risk for merchant types corresponding to merchants associated with a historically low occurrence of fraud.

10.   ~~(Withdrawn)~~ *Cancel* The method of claim 1, wherein the step of determining a merchant credit risk further comprises:

determining a low merchant credit risk for merchant types corresponding to merchants offering products deemed to be of an essential nature to a consumer.

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Canceled

11.   (Withdrawn) The method of claim 1, wherein the step of determining a

merchant credit risk further comprises:

determining a high merchant credit risk for merchant types corresponding to at

least one of mail order merchants, telephone order merchants, and Internet order

merchants.

Canceled

12.   (Withdrawn) The method of claim 1, wherein the step of determining a

merchant credit risk further comprises:

determining a high merchant credit risk for merchant types corresponding to

merchants associated with a historically high occurrence of fraud.

Canceled

13.   (Withdrawn) The method of claim 1, wherein the step of approving the

potential transaction further comprises:

increasing the credit limit by an amount equal to at least a value associated with

the transaction.

Canceled

14.   (Withdrawn) The method of claim 1, wherein the credit limit is known to

the holder of the financial account.

Canceled

15.   (Withdrawn) The method of claim 1, wherein the credit limit is unknown to

the holder of the financial account.

Canceled

16.   (Withdrawn) The method of claim 1, wherein the financial account is a

credit card account.

Canceled

17.   (Withdrawn) The method of claim 1, further comprising:

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declining the potential transaction if the potential transaction plus the outstanding

balance exceeds the credit limit by a predetermined amount.

18.   ~~(Withdrawn)~~ Canceled The method of claim 1, further comprising:

adjusting the merchant credit risk based on a time of day the transaction is

requested.

19.   ~~(Withdrawn)~~ Canceled The method of claim 1, further comprising:

adjusting the merchant credit risk based on the medium in which the customer is

making the transaction.

20.   ~~(Withdrawn)~~ Canceled The method of claim 1, further comprising:

adjusting the merchant credit risk based on an account history of the customer

making the transaction.

21.   ~~(Withdrawn)~~ Canceled A computer for managing a financial transaction associated

with a financial account, wherein the transaction would cause an outstanding balance of

the financial account to exceed a credit limit, the computer comprising:

a memory having programming instructions; and

a processor, responsive to the programming instructions, configured to:

determine a merchant type for a merchant which is a party to the

transaction;

determine a merchant credit risk associated with the determined merchant

type;

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compare the merchant credit risk to a threshold value defining an

acceptable credit risk; and

approve the transaction based on the comparison of the merchant credit

risk with the threshold value.

22.   *Canceled*
       (Withdrawn) The computer of claim 21, wherein the processor is further

configured to:

determine whether to contact a party to the transaction to obtain information

concerning the transaction for use in determining a credit risk associated with the

transaction.

23.   *Canceled*
       (Withdrawn) The computer of claim 22, wherein determining whether to

contact a party to the transaction further includes:

determining whether the potential transaction is an emergency transaction; and

approving the potential transaction when the contacted party indicates that the

transaction is an emergency transaction.

24.   *Canceled*
       (Withdrawn) The computer of claim 21, wherein the processor is further

configured to:

approve the potential transaction based on a determination that declining the

potential transaction would cause inconvenience to a holder of the financial account.

25.   *Canceled*
       (Withdrawn) The computer of claim 22, wherein determining whether to

contact a party to the transaction further includes:

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allowing a credit analyst to determine whether to approve the potential

transaction when the credit analyst is available.

26.   (Amended) ~~The computer of claim 21, wherein the processor is further~~

~~configured to:~~

A computer for managing a financial transaction associated with a financial

account, wherein the transaction would cause an outstanding balance of the financial

account to exceed a credit limit, the computer comprising:

a memory having programming instructions; and

a processor, responsive to the programming instructions, configured to:

determine a merchant type for a merchant which is a party to the

transaction;

determine a merchant credit risk associated with the determined merchant

type;

determine a type of product associated with the transaction;

determine a credit risk associated with the transaction based on the

determined type of product associated with the transaction by determining

whether the product is associated with at least one of a consumer emergency

and a consumer necessity, and allocating a low credit risk to the product when

the product is determined to be associated with at least one of a consumer

emergency and a consumer necessity;

compare the merchant credit risk to a threshold value defining an

acceptable credit risk;

compare the product credit risk associated with the threshold value; and

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approve the transaction <u>based on the comparison of the merchant credit</u> <u>risk with the threshold value and</u> based the comparison of the determined product credit risk with the threshold value.

27.   (Canceled) The computer of claim 26, wherein determining the credit risk associated with the transaction further includes:

determining whether the product is associated with at least one of a consumer emergency and a consumer necessity; and

allocating a low credit risk to the product when the product is determined to be associated with at least one of a consumer emergency and a consumer necessity.

28.   ~~(Withdrawn)~~ Canceled The computer of claim 21, wherein determining a merchant credit risk further includes:

determining a low merchant credit risk for merchant types corresponding to at least one of a restaurant, a grocery store, and a fuel dispenser.

29.   ~~(Withdrawn)~~ Canceled The computer of claim 21, wherein determining a merchant credit risk further includes:

determining a low merchant credit risk for merchant types corresponding to merchants associated with a historically low occurrence of fraud.

30.   ~~(Withdrawn)~~ Canceled The computer of claim 21, wherein determining a merchant credit risk further includes:

determining a low merchant credit risk for merchant types corresponding to merchants offering products deemed to be of an essential nature to a consumer.

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Canceled

31.   (Withdrawn)The computer of claim 21, wherein determining a merchant credit risk further includes:

determining a high merchant credit risk for merchant types corresponding to at least one of mail order merchants, telephone order merchants, and Internet order merchants.

Canceled

32.   (Withdrawn)The computer of claim 21, wherein determining a merchant credit risk further includes:

determining a high merchant credit risk for merchant types corresponding to merchants associated with a historically high occurrence of fraud.

Canceled

33.   (Withdrawn)The computer of claim 21, wherein approving the potential transaction further includes:

increasing the credit limit by an amount equal to at least a value associated with the transaction.

Canceled

34.   (Withdrawn)The computer of claim 21, wherein the credit limit is known to the holder of the financial account.

Canceled

35.   (Withdrawn)The computer of claim 21, wherein the credit limit is unknown to the holder of the financial account.

Canceled

36.   (Withdrawn)The computer of claim 21, wherein the financial account is a credit card account.

Canceled

37.   (Withdrawn)The computer of claim 21, wherein the processor is further configured to:

decline the potential transaction if the potential transaction plus the outstanding balance exceeds the credit limit by a predetermined amount.

Canceled

38.   (Withdrawn)The computer of claim 21, wherein the processor is further configured to:

adjust the merchant credit risk based on a time of day the transaction is requested.

Canceled

39.   (Withdrawn)The computer of claim 21, wherein the processor is further configured to:

adjust the merchant credit risk based on the medium in which the customer is making the transaction.

Canceled

40.   (Withdrawn)The computer of claim 21, wherein the processor is further configured to:

adjust the merchant credit risk based on an account history of the customer making the transaction.

Canceled

41.   (Withdrawn) An system for managing a financial transaction associated with a financial account, wherein the transaction would cause an outstanding balance of the financial account to exceed a credit limit, the system comprising:

means for determining a merchant type for a merchant which is a party to the transaction;

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means for determining a merchant credit risk associated with the determined merchant type;

means for comparing the merchant credit risk to a threshold value defining an acceptable credit risk; and

means for approving the transaction based on the comparison of the merchant credit risk with the threshold value.

~~Canceled~~

42.   (Withdrawn) The system of claim 41, further comprising:

means for determining whether to contact a party to the transaction to obtain information concerning the transaction for use in determining a credit risk associated with the transaction.

~~Canceled~~

43.   (Withdrawn) The system of claim 42, wherein the means for determining whether to contact a party to the transaction further comprises:

means for determining whether the potential transaction is an emergency transaction; and

means for approving the potential transaction when the contacted party indicates that the transaction is an emergency transaction.

~~Canceled~~

44.   (Withdrawn) The system of claim 42, further comprising:

means for approving the potential transaction based on a determination that declining the potential transaction would cause inconvenience to a holder of the financial account.

Canceled

45.   (Withdrawn) The system of claim 42, wherein the means for determining whether to contact a party to the transaction further comprises:

means for allowing a credit analyst to determine whether to approve the potential transaction when the credit analyst is available.

46.   (Amended) ~~The system of claim 41, further comprising:~~

A system for managing a financial transaction associated with a financial account, wherein the transaction would cause an outstanding balance of the financial account to exceed a credit limit, the system comprising:

means for determining a merchant type for a merchant which is a party to the transaction;

means for determining a merchant credit risk associated with the determined merchant type;

means for determining a type of product associated with the transaction;

means for determining a credit risk associated with the transaction based on the determined type of product associated with the transaction, wherein the means for determining a credit risk includes:

means for determining whether the product is associated with at least one of a consumer emergency and a consumer necessity, and

means for allocating a low credit risk to the product when the product is determined to be associated with at least one of a consumer emergency and a consumer necessity;

means for comparing the merchant credit risk to a threshold value defining an acceptable credit risk;

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means for comparing the product credit risk associated with the threshold value; and

means for approving the transaction <u>based on the comparison of the merchant credit risk with the threshold value and</u> based the comparison of the determined product credit risk with the threshold value.

47.   (Canceled) The system of claim 46, wherein the means for determining the credit risk associated with the transaction further comprises:

means for determining whether the product is associated with at least one of a consumer emergency and a consumer necessity; and

means for allocating a low credit risk to the product when the product is determined to be associated with at least one of a consumer emergency and a consumer necessity.

48.   ~~(Withdrawn)~~ *Canceled* The system of claim 41, wherein the means for determining a merchant credit risk further comprises:

means for determining a low merchant credit risk for merchant types corresponding to at least one of a restaurant, a grocery store, and a fuel dispenser.

49.   ~~(Withdrawn)~~ *Canceled* The system of claim 41, wherein the means for determining a merchant credit risk further comprises:

means for determining a low merchant credit risk for merchant types corresponding to merchants associated with a historically low occurrence of fraud.

Canceled

50.   (Withdrawn) The system of claim 41, wherein the means for determining a merchant credit risk further comprises:

means for determining a low merchant credit risk for merchant types corresponding to merchants offering products deemed to be of an essential nature to a consumer.

Canceled

51.   (Withdrawn) The system of claim 41, wherein the means for determining a merchant credit risk further comprises:

means for determining a high merchant credit risk for merchant types corresponding to at least one of mail order merchants, telephone order merchants, and Internet order merchants.

Canceled

52.   (Withdrawn) The system of claim 41, wherein the means for determining a merchant credit risk further comprises:

means for determining a high merchant credit risk for merchant types corresponding to merchants associated with a historically high occurrence of fraud.

Canceled

53.   (Withdrawn) The system of claim 41, wherein the means for approving the potential transaction further comprises:

means for increasing the credit limit by an amount equal to at least a value associated with the transaction.

Canceled

54.   (Withdrawn) The system of claim 41, wherein the credit limit is known to the holder of the financial account.

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canceled

55. (Withdrawn) The system of claim 41, wherein the credit limit is unknown to

the holder of the financial account.

canceled

56. (Withdrawn) The system of claim 41, wherein the financial account is a

credit card account.

canceled

57. (Withdrawn) The system of claim 41, further comprising:

means for declining the potential transaction if the potential transaction plus the

outstanding balance exceeds the credit limit by a predetermined amount.

canceled

58. (Withdrawn) The system of claim 41, further comprising:

means for adjusting the merchant credit risk based on a time of day the

transaction is requested.

canceled

59. (Withdrawn) The system of claim 41, further comprising:

means for adjusting the merchant credit risk based on the medium in which the

customer is making the transaction.

canceled

60. (Withdrawn) The system of claim 41, further comprising:

means for adjusting the merchant credit risk based on an account history of the

customer making the transaction.

61. (Amended) A method for managing a financial transaction associated with

a financial-account, wherein the transaction would cause an outstanding balance of the

financial account to exceed a credit limit, the method comprising:

determining a type of product associated with the transaction;

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determining a credit risk associated with the transaction based on the determined

type of product associated with the transaction, wherein determining the credit risk

associated with the transaction further comprises:

determining whether the product is associated with at least one of a

consumer emergency and a consumer necessity, and

allocating a low credit risk to the product when the product is determined

to be associated with at least one of a consumer emergency and a consumer

necessity;

comparing the product credit risk associated with the threshold value; and

approving the transaction based the comparison of the determined product credit

risk with the threshold value.

62.   (Canceled)

63.   (Amended) A computer for managing a financial transaction associated

with a financial account, wherein the transaction would cause an outstanding balance of

the financial account to exceed a credit limit, the computer comprising:

a memory having programming instructions; and

a processor, responsive to the programming instructions, configured to:

determine a type of product associated with the transaction;

determine a credit risk associated with the transaction based on the

determined type of product associated with the transaction by determining whether the

product is associated with at least one of a consumer emergency and a consumer

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necessity and allocating a low credit risk to the product when the product is determined

to be associated with at least one of a consumer emergency and a consumer necessity;

compare the product credit risk associated with the threshold value; and

approve the transaction based the comparison of the determined product

credit risk with the threshold value.

64.   (Canceled)

65.   (Amended) An system for managing a financial transaction associated

with a financial account, wherein the transaction would cause an outstanding balance of

the financial account to exceed a credit limit, the system comprising:

means for determining a type of product associated with the transaction;

means for determining a credit risk associated with the transaction based on the

determined type of product associated with the transaction, wherein the means for

determining the credit risk associated with the transaction further comprises:

means for determining whether the product is associated with at least one

of a consumer emergency and a consumer necessity, and

means for allocating a low credit risk to the product when the product is

determined to be associated with at least one of a consumer emergency and a

consumer necessity;

means for comparing the product credit risk associated with the threshold value;

and

means for approving the transaction based the comparison of the determined

product credit risk with the threshold value.

66.   (Canceled)